

numerous individual hospitals moved to intervene as plaintiffs. ECF Doc. No. 21. On April 16, 2019, the court extended the deadline for the defendants to respond to that complaint-in-intervention, as well as to the plaintiff's complaint and motion for class certification, until 10 days after it ruled on the motion to intervene. *See* April 16, 2019 Endorsed Order. The court granted the motion to intervene on May 14, 2019. ECF Doc. No. 62. Accordingly, the defendants' deadline to respond to the plaintiff's complaint and motion for class certification and the intervenors' complaint-in-intervention is May 24, 2019. The New Hampshire Circuit Court moved to dismiss both the complaint and the complaint-in-intervention on May 22, 2019.

4. On May 21, 2019, Governor Sununu signed Senate Bill 11. Commissioner Meyers requires additional time to determine how that bill affects his response to the complaint, the complaint-in-intervention, and the motion for class certification.

5. The movants accordingly request that the court extend Commissioner Meyers's deadline to file his responses to those pleadings until June 4, 2019.

6. The movants further request that the court extend the deadlines for the plaintiff and the intervenors to respond to the New Hampshire Circuit Court's motions to dismiss until June 18, 2019, so that those deadlines correspond with the deadline to respond to Commissioner Meyers's responsive pleadings.

7. The plaintiff, the intervenors, and Commissioner Meyers assent to and therefore join in the relief requested in this motion. The New Hampshire Circuit Court assents to the requested relief. No separate memorandum of law is required in support of this motion as all relevant legal authority relied upon is cited herein. LR 7.1(a)(2).

WHEREFORE, the parties respectfully request that this Honorable Court:

- A. Grant this motion to extend time to respond;
- B. Extend Defendant Meyers's time to respond to the complaint, the complaint-in-intervention, and the motion for class certification until June 4, 2019;
- C. Extend the plaintiff's and intervenors' time to respond to the New Hampshire Circuit Court's motions to dismiss until June 18, 2019; and
- D. Grant such further relief as this court deems just and proper.

Respectfully submitted,

Jeffery A. Meyers, Commissioner, New
Hampshire Department of Health and
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By his attorney,

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Attorney General

May 24, 2019

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and

John Doe, on behalf of himself and all others
similarly situated,

By his attorney,

May 24, 2019

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New Hampshire Hospital Association, Alice Peck Day Memorial Hospital, Androscoggin Valley Hospital, Catholic Medical Center, Cheshire Medical Center, Concord Hospital, Cottage Hospital, Elliot Hospital, Frisbie Memorial Hospital, HCA Health Services of New Hampshire (Parkland Medical Center and Portsmouth Regional Hospital), Huggins Hospital, Littleton Hospital Association (Littleton Regional Healthcare), LRGHealthcare (Franklin Regional Hospital and Lakes Region General Hospital), Mary Hitchcock Memorial Hospital, Monadnock Community Hospital, New London Hospital, Southern New Hampshire Medical Center, Speare Memorial Hospital, Upper Connecticut Valley Hospital, Valley Regional Hospital, and Weeks Medical Center

By their attorney,

May 24, 2019

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Certification of Service

I hereby certify that a copy of the foregoing was electronically served this day to all parties through the court's ECF system on all counsel of record

/s/ Samuel R. V. Garland
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